

9730//PMK
CICHANOWICZ, CALLAN, KEANE,
VENGROW & TEXTOR, LLP
61 Broadway, Suite 3000
New York, New York 10006
(212) 344-7042

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

NIPPON YUSEN KAISHA a.k.a. NYK LINE,
Plaintiff,
- against -

TJD INTERNATIONAL, INC.,

Defendant.

11-CV

COMPLAINT IN ADMIRALTY

Plaintiff, by its attorneys, Cichanowicz Callan Keane Vengrow & Textor, LLP, for its complaint, alleges:

COUNT 1

1. The jurisdiction of this Court is based upon:
 - (a) The admiralty and maritime nature of the claims within the meaning of 28 U.S.C. 1333(1) and F.R.Civ.P. 9(h); or
 - (b) Diversity of citizenship within the meaning of 28 U.S.C. 1332(a)(2); and
 - (c) Supplemental Jurisdiction within the meaning of 28 U.S.C. 1337.
2. Plaintiff is a corporation organized and existing under the laws of Japan. It carries on business as an ocean common carrier by sea in the international trade of the United States and is licensed by the Federal Maritime Commission.

3. On information and belief, defendant is a corporation organized and existing under the laws of New Jersey with its office and principal place of business at 150 River Road Bldg.G, Unit 4A Montville, N.J. 07045.

4. Defendant was the booking party, shipper, consignor and billing party of certain shipments carried by plaintiff by sea between the U.S. and various foreign ports pursuant to certain bill of lading or sea waybill contracts of carriage a breakdown of which is attached as SCHEDULE A.

5. Those contracts of carriage were performed by plaintiff and all amounts due plaintiff under those contracts of carriage have been earned.

6. Pursuant to said contracts of carriage, there is now due and owing to plaintiff, from the defendant, ocean freight and other charges in the aggregate principal amount of \$110,526.00 exclusive of interest and costs.

7. Plaintiff sues on theories of breach of contract and account stated.

8. All conditions precedent have been performed or have occurred.

WHEREFORE, Plaintiff prays:

- (a) That plaintiff have judgment for the amount of its claim together with interest plus the costs and disbursements of this action. And,
- (b) That plaintiff have whatever other relief it may be entitled to.

Dated: New York, NY, December 16, 2011

CICHANOWICZ, CALLAN, KEANE,
VENGROW & TEXTOR, LLP
Attorneys for Plaintiff

By: Jessica A. DeVivo
Jessica A. DeVivo
61 Broadway, Suite 3000
New York, New York 10006-2802
Tel: (212)344-7042
Email: jdevivo@cckvt.com

SCHEDULE A

A Payee	B Payee ID	C Payee SAP ID	D Invoice No.	E Inv. M.	F BLNQ	G Bounit	H Invoice Date	I Due Date	J Journ(D,+)	K Receivable	L Paid	M Balance	N Over-Sold	O Net Sales	P Customer's Reference
T.J.D. International	1018380	1018380000	01000018328	SF	6050123250	Export	10/31/2008	10/31/2008	1088	\$ 700.00	\$ -	\$ 700.00	Dawn Constal New York	INT.12841	
T.J.D. International	1018380	1018380000	0100344464	SF	6050658100	Export	10/6/2009	10/10/2009	744	\$ 15,028.40	\$ -	\$ 15,028.40	Dawn Constal New York	INT.12910	
T.J.D. International	1018380	1018380000	0100450751	SF	6050993960	Export	1/6/2010	1/28/2010	634	\$ 2,965.00	\$ -	\$ 2,965.00	Dawn Constal New York	INT.12910	
T.J.D. International	1018380	1018380000	01005940177	SF	6061206760	Export	6/23/2010	7/11/2010	470	\$ 2,067.00	\$ -	\$ 2,067.00	Dawn Constal New York	ARTIALS NOT ALLOWED	
T.J.D. International, Inc.	1018380	1018380000	0100672210	SF	6050150750	Export	7/20/2010	8/7/2010	443	\$ 16,560.00	\$ -	\$ 16,560.00	Dawn Constal New York	ARTIALS NOT ALLOWED	
T.J.D. International, Inc.	1018380	1018380000	0100696413	SF	6053459560	Export	8/9/2010	8/26/2010	422	\$ 22,080.00	\$ -	\$ 22,080.00	Dawn Constal New York	INT.13655	
T.J.D. International, Inc.	1018380	1018380000	0100756309	SF	606018180	Export	9/24/2010	9/24/2010	395	\$ 1,907.60	\$ -	\$ 1,907.60	Dawn Constal New York	INT.13666	
T.J.D. International, Inc.	1018380	1018380000	0100795967	SF	6053800170	Export	11/2/2010	11/20/2010	338	\$ 2,128.75	\$ -	\$ 2,128.75	Dawn Constal New York	INT.13673	
T.J.D. International, Inc.	1018380	1018380000	01008942603	SF	6063669560	Export	12/10/2010	12/10/2010	318	\$ 2,057.60	\$ -	\$ 2,057.60	Dawn Constal New York	NT.13770 INV. 109819	
T.J.D. International, Inc.	1018380	1018380000	01008924629	SF	6053837280	Export	11/23/2010	12/13/2010	315	\$ 2,128.75	\$ -	\$ 2,128.75	Dawn Constal New York	INT.13674	
T.J.D. International, Inc.	1018380	1018380000	01008924631	SF	605391620	Export	11/23/2010	12/13/2010	315	\$ 3,350.00	\$ -	\$ 3,350.00	Dawn Constal New York	INT.13655	
T.J.D. International, Inc.	1018380	1018380000	01008947859	SF	6053837270	Export	12/15/2010	1/4/2011	293	\$ 2,128.75	\$ -	\$ 2,128.75	Dawn Constal New York	INT.13675	
T.J.D. International, Inc.	1018380	1018380000	01008664959	SF	6061672860	Export	1/3/2011	1/20/2011	277	\$ 2,950.00	\$ -	\$ 2,950.00	Dawn Constal New York	INT.13686	
T.J.D. International, Inc.	1018380	1018380000	0100873663	SF	6051919180	Export	1/10/2011	1/30/2011	267	\$ 2,171.75	\$ -	\$ 2,171.75	Dawn Constal New York	INT.13825	
T.J.D. International, Inc.	1018380	1018380000	0100891263	SF	6061732010	Export	1/26/2011	2/15/2011	251	\$ 2,253.75	\$ -	\$ 2,253.75	Dawn Constal New York	INT.13825	
T.J.D. International, Inc.	1018380	1018380000	0100956261	SF	6061732000	Export	2/8/2011	2/28/2011	238	\$ 2,253.75	\$ -	\$ 2,253.75	Dawn Constal New York	INT.13826	
T.J.D. International, Inc.	1018380	1018380000	01009513107	SF	6052045200	Export	2/15/2011	3/7/2011	231	\$ 2,253.75	\$ -	\$ 2,253.75	Dawn Constal New York	INT.13858	
T.J.D. International, Inc.	1018380	1018380000	0100926564	SF	6052045210	Export	2/23/2011	3/15/2011	223	\$ 2,171.75	\$ -	\$ 2,171.75	Dawn Constal New York	INT.13857	
T.J.D. International, Inc.	1018380	1018380000	01009526038	SF	6061823880	Export	3/1/2011	3/21/2011	217	\$ 2,171.75	\$ -	\$ 2,171.75	Dawn Constal New York	INT.13894	
T.J.D. International, Inc.	1018380	1018380000	01009540342	SF	6061823880	Export	3/14/2011	4/3/2011	204	\$ 2,253.75	\$ -	\$ 2,253.75	Dawn Constal New York	INT.13894	
T.J.D. International, Inc.	1018380	1018380000	01009592448	SF	6052161560	Export	3/29/2011	4/8/2011	189	\$ 2,171.75	\$ -	\$ 2,171.75	Dawn Constal New York	INT.13955	
T.J.D. International, Inc.	1018380	1018380000	01009573803	SF	6052165240	Export	4/12/2011	5/2/2011	175	\$ 2,343.75	\$ -	\$ 2,343.75	Dawn Constal New York	INT.13955	
T.J.D. International, Inc.	1018380	1018380000	01009587501	SF	6061657330	Export	4/26/2011	5/15/2011	162	\$ 2,425.75	\$ -	\$ 2,425.75	Dawn Constal New York	INT.14004	
T.J.D. International, Inc.	1018380	1018380000	0101004059	SF	6061657320	Export	5/12/2011	5/30/2011	147	\$ 2,383.75	\$ -	\$ 2,383.75	Dawn Constal New York	INT.14005	
T.J.D. International, Inc.	1018380	1018380000	010101017528	SF	6052212270	Export	5/29/2011	6/13/2011	133	\$ 2,383.75	\$ -	\$ 2,383.75	Dawn Constal New York	INT.14063	
T.J.D. International, Inc.	1018380	1018380000	0101025556	SF	6052212140	Export	6/1/2011	6/21/2011	125	\$ 2,383.75	\$ -	\$ 2,383.75	Dawn Constal New York	INT.14062	
T.J.D. International, Inc.	1018380	1018380000	01010404919	SF	6052327680	Export	6/14/2011	7/4/2011	112	\$ 2,425.75	\$ -	\$ 2,425.75	Dawn Constal New York	INT.14099	
T.J.D. International, Inc.	1018380	1018380000	0101046072	SF	6052327670	Export	6/20/2011	7/10/2011	105	\$ 2,425.75	\$ -	\$ 2,425.75	Dawn Constal New York	INT.14100	
Total										\$ 110,526.10	\$ -	\$ 110,526.10			